

Morning Hour

- § 1. In General; Place in Order of Business
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Research References

- 4 Hinds §§ 3118–3141
- 6 Cannon §§ 751–755
- 7 Cannon § 944
- 6 Deschler Ch 21 § 4
- Manual §§ 878, 889

§ 1. In General; Place in Order of Business

Generally

The morning hour call of committees is a rarely used procedure for calling up for consideration in the House bills that have been reported by committees and which are on the House Calendar. Rule XXIV clause 4 (adopted in its present form in 1890). *Manual* § 889. Other avenues that are more frequently used for this purpose are special rules from the Committee on Rules, suspension of the rules, and unanimous-consent agreements (all of which are discussed under separate titles in this work). Because of the availability of these more effective procedures, and because most reported bills are referred to the Union Calendar, the morning hour call has become largely obsolete. See Deschler Ch 21 § 4. However, since the demise of the Consent Calendar in the 104th Congress, the morning hour remains an alternative to suspensions as a way of reaching relative non-controversial bills on the House Calendar.

Morning-hour Debates Distinguished

Beginning in the 103d Congress, the House established a procedure for “morning-hour speeches.” *Manual* § 753b. Under this new practice, which is permitted by a standing order adopted by unanimous consent, the House meets early on Mondays and Tuesdays, before the regular convening hour, to entertain five-minute speeches. No business is permitted during such periods. See CONSIDERATION AND DEBATE for further discussion of this practice.

Calendar Wednesday Distinguished

Bills on the House Calendar (as well as those on the Union Calendar) may be considered when committees are called under the Calendar Wednesday rule (Rule XXIV clause 7). Both the morning hour and Wednesday calls have seen little use in recent Congresses since reported bills are routinely given privilege by special orders reported from the Committee on Rules. However, while the morning hour call of committees can be ignored whenever a majority of the House so chooses, it takes a two-thirds vote to dispense with the call on Wednesdays. *Manual* § 897; see also CALENDAR WEDNESDAY.

Order of Morning Hour Business; Precedence

The morning hour is listed seventh in the rule governing the order of business in the House, coming just after “unfinished business.” Rule XXIV clause 1. A bill once brought up on the morning hour call continues before the House in that order of business until disposed of (4 Hinds § 3120), unless withdrawn by authority of the committee with jurisdiction over the bill. Such withdrawal must occur before amendment or other House action on the bill. 4 Hinds § 3129. Once consideration of the bill has begun under the morning hour rule, the House may not on motion postpone its further consideration to a day certain. 4 Hinds § 3164. However, other more highly privileged matters, such as a privileged report from the Committee on Rules, may intervene. 4 Hinds § 3131.

§ 2. Procedure; Business Considered**Generally**

The morning hour rule provides that after the disposition of unfinished business, the Speaker is to call each standing committee, “in regular order,” and then select committees. Rule XXIV clause 4. This rule is interpreted to mean that committees are to be called seriatim in the order in which they are listed in Rule X. 6 Cannon § 751. Each committee when named may then call up a bill it has previously reported which is on the House Calendar. Rule XXIV clause 4. Bills called up under this procedure are debated under the hour rule, with debate being confined to the bill under consideration. Deschler Ch 21 § 4.2.

Business Considered During the Morning Hour

In the early practice, the morning hour was used for the reception of reports from committees. 4 Hinds § 3118. In 1890, the rule was amended so as to devote the morning hour to “any bill” reported by a committee

“on a previous day” and which is on the House Calendar. *Manual* § 889. Thus, the bill must actually be on the House Calendar, and properly there, in order to be considered (4 Hinds §§ 3122–3126); a bill on the Union Calendar may not be brought up during the morning hour call of committees. 6 Cannon § 753.

Committee Authorization

A Member calling up a bill under the morning hour rule must be authorized to do so by the committee reporting the bill. Deschler Ch 21 § 4.2. In the event of a dispute as to whether committee authorization was in fact granted, the Speaker may decline to resolve the matter on the ground that such an issue gives rise to a question of fact to be resolved by the committee. 4 Hinds § 3127. But he may rule on the question of authorization based on statements by the chairman and other members of the reporting committee. 4 Hinds § 3128.

§ 3. Duration; Interruption or Termination

Generally

The term “morning hour” is to some extent misleading, since, under the modern rule, the call of committees does not necessarily terminate in 60 minutes. 4 Hinds § 3119. Today the morning hour does not terminate until the call is exhausted or until the House adjourns (*Manual* § 890) or votes to go into Committee of the Whole (*Manual* § 891), or unless other privileged matter intervenes (4 Hinds § 3131). After the intervening business is concluded, the morning hour call of committees is resumed unless the House adjourns. 4 Hinds § 3133.

Before the expiration of the 60 minutes, the Speaker has declined to permit the call to be interrupted by a committee report (4 Hinds § 3132), or by a unanimous-consent request to consider a bill that is not on the House Calendar (4 Hinds § 3130).

Motions to go Into Committee of the Whole

The House rules permit the interruption of the morning hour call of committees by a motion to go into Committee of the Whole. Rule XXIV clause 5. (Generally, see COMMITTEES OF THE WHOLE.) Under this rule, the motion lies “after one hour” of the call of committees, and may be made for the purpose of taking up a particular bill. *Manual* § 891. The motion may interrupt the call of committees after the expiration of 60 minutes (4 Hinds § 3131) and may be made even sooner if the call of committees is exhausted before the hour expires. 4 Hinds § 3141.